

Exhibit B

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DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

JUL 21 2020

The Honorable Marco Rubio
Acting Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

The Honorable Mark R. Warner
Vice Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

Acting Chairman Rubio and Vice Chairman Warner:

(U) Thank you for your letter of 02 March 2020, regarding the report issued by the Office of the Director of National Intelligence (ODNI) pursuant to sections 1277 and 5714 of the National Defense Authorization Act for Fiscal Year 2020 (NDAA), P.L. 116-92.

~~(S//NF)~~ During my confirmation hearing on 05 May 2020, I committed to review all the underlying intelligence and the ODNI's prior responses related to Washington Post columnist Jamal Khashoggi. I have recently completed this review and have consulted with the leadership of the Intelligence Community (IC) elements that have contributed to the IC's understanding of Mr. Khashoggi's murder, (b)(1), (b)(3)

(U//~~FOUO~~) Most critically, my review and conversations with other IC leaders confirmed that we have kept the U.S. Congress fully and currently informed on this issue as required by law. You will recall that the Committee's full membership has been briefed on the issue at the compartmented level and that the National Intelligence Council produced a downgraded memorandum (NICM (b)(3)) in February of this year to ensure broader congressional interest in the issue was addressed.

(U//~~FOUO~~) I was also pleased to confirm that the process for declassifying the information required by Sections 1277 and 5714 was conducted consistent with law, IC policy, and applicable Executive Orders. This included appropriate consultations, assessments of risk to sources and methods, and the impact on future collections as specifically permitted by Section 1277(b)(2) and Section 5714(a). In response to your concerns about the ODNI's compliance

Classified By: (b)(3), (b)(6)
Derived From: ODNI CG
Declassify On: 20451231

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with Sections 1277 and 5714, this process was again conducted to ensure that any information that could be presented in an UNCLASSIFIED format was provided as required.

~~(TS//NF)~~ However, these reviews confirmed yet again that the disclosure of additional details surrounding Mr. Khashoggi's murder would undermine U.S. intelligence sources and methods. (b)(1), (b)(3)

(b)(1), (b)(3) I have determined that the downgraded NICM (b)(3) is the lowest possible classification that can be given to this intelligence without significantly threatening the national security interests of the United States.

(U//~~FOUO~~) Finally, I have determined that there is only a marginal "public interest" argument for this declassification given the substantial public discourse on this topic, to include official actions and statements by the U.S. Government on this issue. These include:

- (U) U.S. Department of the Treasury economic sanctions of 18 November 2018, under Executive Order 13818 against 17 individuals believed to be involved in the murder of Mr. Khashoggi;
- (U) U.S. Secretary of State's 08 April 2019, use, in-part, of unclassified information to inform public designation 16 individuals as human rights violators under Section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act for Fiscal Year 2019;
- (U) The U.S. Senate's unanimous passage on 17 January 2019, of Senate Joint Resolution 69 citing attribution for the murder; and
- (U) The United Nations Human Rights Council's 17 June 2019, report: "Special Rapporteur on extrajudicial, summary or arbitrary executions: Investigation into the unlawful death of Mr. Jamal Khashoggi" citing no less than six human rights violations by the Kingdom of Saudi Arabia.

(U) If you have any questions, you may contact Legislative Affairs at (b)(3), (b)(6)

Sincerely,


John Ratcliffe

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DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

JUL 21 2020

The Honorable Ron Wyden
United States Senate
Washington, DC 20510

Senator Wyden:

(U) Thank you for your letter of 17 June 2020, regarding the report issued by the Office of the Director of National Intelligence (ODNI) pursuant to section 5714 of the National Defense Authorization Act for Fiscal Year 2020 (NDAA), P.L. 116-92.

~~(S//NF)~~ As you referenced in your letter, during my 05 May 2020 confirmation hearing, I committed to review all the underlying intelligence and the ODNI's prior responses related to Washington Post columnist Jamal Khashoggi. I have recently completed this review and have consulted with the leadership of the Intelligence Community (IC) elements that have contributed to the IC's understanding of Mr. Khashoggi's murder. (b)(1), (b)(3)

(U//~~FOUO~~) Most critically, my review and conversations with other IC leaders confirmed that we have kept the U.S. Congress fully and currently informed on this issue as required by law. You will recall that the Committee's full membership has been briefed on the issue at the compartmented level and that the National Intelligence Council produced a downgraded memorandum (NICM (b)(3)) in February of this year to ensure broader congressional interest in the issue was addressed.

(U//~~FOUO~~) I was also pleased to confirm that the process for declassifying the information required by Section 5714 was conducted consistent with law, IC policy, and applicable Executive Orders. This included appropriate consultations, assessments of risk to sources and methods, and the impact on future collections as specifically permitted by Section 5714(a). In response to your concerns about the ODNI's compliance with Section 5714, this process was again conducted to ensure that any information that could be presented in an UNCLASSIFIED format was provided as required.

~~(TS//NF)~~ However, these reviews confirmed yet again that the disclosure of additional details surrounding Mr. Khashoggi's murder would undermine U.S. intelligence sources and methods. (b)(1), (b)(3)

(b)(1), (b)(3) I have determined that the downgraded NICM (b)(3) is the lowest possible classification that can be given to this intelligence without significantly threatening the national security interests of the United States.

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(U//~~FOUO~~) Finally, I have determined that there is only a marginal “public interest” argument for this declassification given the substantial public discourse on this topic, to include official actions and statements by the U.S. Government on this issue. These include:

- (U) U.S. Department of the Treasury economic sanctions of 18 November 2018, under Executive Order 13818 against 17 individuals believed to be involved in the murder of Mr. Khashoggi;
- (U) U.S. Secretary of State’s 08 April 2019, use, in-part, of unclassified information to inform public designation 16 individuals as human rights violators under Section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act for Fiscal Year 2019;
- (U) The U.S. Senate’s unanimous passage on 17 January 2019, of Senate Joint Resolution 69 citing attribution for the murder; and
- (U) The United Nations Human Rights Council’s 17 June 2019, report: “Special Rapporteur on extrajudicial, summary or arbitrary executions: Investigation into the unlawful death of Mr. Jamal Khashoggi” citing no less than six human rights violations by the Kingdom of Saudi Arabia.

(U) If you have any questions, you may contact Legislative Affairs at (b)(3), (b)(6)

Sincerely,


John Ratcliffe

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DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

JUL 21 2020

The Honorable Adam B. Schiff
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Chairman Schiff:

(U) Thank you for your letter of 02 March 2020, regarding the report issued by the Office of the Director of National Intelligence (ODNI) pursuant to sections 1277 and 5714 of the National Defense Authorization Act for Fiscal Year 2020 (NDAA), P.L. 116-92.

~~(S//NF)~~ During my confirmation hearing on 05 May 2020, I committed to review all the underlying intelligence and the ODNI's prior responses related to Washington Post columnist Jamal Khashoggi. I have recently completed this review and have consulted with the leadership of the Intelligence Community (IC) elements that have contributed to the IC's understanding of Mr. Khashoggi's murder (b)(1), (b)(3)

(U//~~FOUO~~) Most critically, my review and conversations with other IC leaders confirmed that we have kept the U.S. Congress fully and currently informed on this issue as required by law. You will recall that the Committee's full membership has been briefed on the issue at the compartmented level and that the National Intelligence Council produced a downgraded memorandum (NICM (b)(3)) in February of this year to ensure broader congressional interest in the issue was addressed.

(U//~~FOUO~~) I was also pleased to confirm that the process for declassifying the information required by Sections 1277 and 5714 was conducted consistent with law, IC policy, and applicable Executive Orders. This included appropriate consultations, assessments of risk to sources and methods, and the impact on future collections as specifically permitted by Section 1277(b)(2) and Section 5714(a). In response to your concerns about the ODNI's compliance with Sections 1277 and 5714, this process was again conducted to ensure that any information that could be presented in an UNCLASSIFIED format was provided as required.

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(TS//NF) However, these reviews confirmed yet again that the disclosure of additional details surrounding Mr. Khashoggi's murder would undermine U.S. intelligence sources and methods, (b)(1), (b)(3)

(b)(1), (b)(3) per Section 1277(a)(2). I have determined that the downgraded NICM (b)(3) is the lowest possible classification that can be given to this intelligence without significantly threatening the national security interests of the U.S.

(U//FOUO) Finally, I have determined that there is only a marginal "public interest" argument for this declassification given the substantial public discourse on this topic, to include official actions and statements by the U.S. Government on this issue. These include:

- (U) U.S. Department of the Treasury economic sanctions of 18 November 2018, under Executive Order 13818 against 17 individuals believed to be involved in the murder of Mr. Khashoggi;
- (U) U.S. Secretary of State's 08 April 2019, use, in-part, of unclassified information to inform public designation 16 individuals as human rights violators under Section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act for Fiscal Year 2019;
- (U) The U.S. Senate's unanimous passage on 17 January 2019, of Senate Joint Resolution 69 citing attribution for the murder; and
- (U) The United Nations Human Rights Council's 17 June 2019, report: "Special Rapporteur on extrajudicial, summary or arbitrary executions: Investigation into the unlawful death of Mr. Jamal Khashoggi" citing no less than six human rights violations by the Kingdom of Saudi Arabia.

(U) If you have any questions, you may contact Legislative Affairs at (b)(3), (b)(6)

Sincerely,


John Ratcliffe

Cc:

The Honorable Devin Nunes

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